

Connors, J

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORIGINAL

UNITED STATES OF AMERICA,

Plaintiff,

v.

AMERICAN SOCIETY OF COMPOSERS,
AUTHORS AND PUBLISHERS,

Defendant.

In the matter of the Application for the
Determination of Reasonable License Fees for
Performances via Wireless and Internet
Transmissions by

MOBITV INC. f/k/a IDETIC, INC.

Civil Action No. 41-1395 (WCC)

STIPULATION AND ORDER

IT IS HEREBY STIPULATED AND AGREED, by and among The American Society of Composers, Authors and Publishers ("ASCAP") and MobiTV Inc. f/k/a Idetic, Inc. ("MobiTV") (collectively, the "Parties") that:

1. MobiTV shall provide ASCAP with written responses and objections to ASCAP's First Set of Document Requests and First Set of Interrogatories ("ASCAP's Discovery Requests") on or before **June 20, 2008**;
2. If necessary, ASCAP and MobiTV shall confer on or before **June 30, 2008** regarding MobiTV's written responses to ASCAP's Discovery Requests;
3. Subject to MobiTV's objections to ASCAP's Discovery Requests, MobiTV shall commence production of materials responsive to ASCAP's First Set of Document Requests on or

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before **July 10, 2008**, with any remaining responsive documents to be produced on a rolling basis as soon thereafter as is practicable; and

4. MobiTV agrees that it will not challenge, and waives its right to challenge, the method or propriety of service upon MobiTV of:

- (a) ASCAP's Application for Determination of Reasonable License Fees for Performances via Wireless and Internet Transmissions by MobiTV Inc. f/k/a Idetic, Inc.;
- (b) ASCAP's First Request to MobiTV Inc. f/k/a Idetic, Inc. for Production of Documents (Nos. 1-16); and
- (c) ASCAP's First Set of Interrogatories to MobiTV Inc. f/k/a Idetic, Inc. (Nos. 1-9).

Nothing in this Stipulation and Order shall prevent either Party from asking the Court to set additional dates or otherwise modify this Stipulation and Order.

Dated: New York, New York
June 18, 2008

LOVELLS LLP

By:



David Leichtman (DL 7233)
Hillel I. Parness (HP 1638)
Aviva J. Halpern (AH 0957)

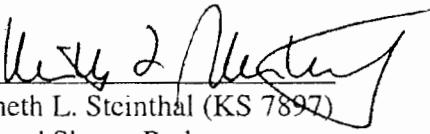
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-and-

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Attorneys for MobiTV Inc.

SO ORDERED.

Dated: White Plains, New York
June 20, 2008



Senior United States District Judge